

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7628

Joint Petition of Green Mountain Power Corporation, )  
Vermont Electric Cooperative, Inc., and Vermont Electric )  
Power Company, Inc. for a certificate of public good, )  
pursuant to 30 V.S.A. Section 248, to construct up to a 63 )  
MW wind electric generation facility and associated )  
facilities on Lowell Mountain in Lowell, Vermont, and the )  
installation or upgrade of approximately 16.9 miles of )  
transmission line and associated substations in Lowell, )  
Westfield and Jay, Vermont )

Order entered: 4/21/2011

**ORDER RE: GREEN MOUNTAIN CLUB MOTION TO CORRECT RECORD**

On March 23, 2011, GMC filed a Motion to Correct Record along with a supporting affidavit from its witness, John Page. Specifically, GMC asked the Board to correct the technical hearing transcript from February 9, 2011, to remedy an error made by Mr. Page while giving oral testimony. During cross examination by CLF, Mr. Page was asked about a settlement agreement dated January 8, 2003, that addressed the removal of certain broadcasting equipment from Mount Mansfield, and to which GMC was a party.<sup>1</sup> During re-direct examination, Mr. Page stated that "the last tower on that mountain is coming down in 2021 regardless of what the law is, regardless of what the Feds do, or the FCC, we got an agreement that that mountain is going to be clear of antennas in 2021."<sup>2</sup>

Following his testimony, Mr. Page reviewed the January 8, 2003, settlement agreement in detail and concluded that he had not accurately characterized its terms. The settlement agreement required the removal of the last of the analog television transmission towers, but allowed the continued presence of radio towers concentrated on the "nose" of Mount Mansfield. To the extent Mr. Page's testimony implied that the radio towers would be removed under the

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1. GMC Motion at 1.

2. Tr. 2/9/11 at 206 (Page).

settlement agreement, his testimony was not accurate. Therefore, GMC proposed some minor changes to Mr. Page's testimony in the transcript to clarify that only the analog television towers were to be removed under the settlement agreement.

The other parties to the Docket were allowed seven calendar days to respond to GMC's motion.<sup>3</sup> No other party filed a response and GMC's motion is therefore unopposed. We grant GMC's motion to correct the record as follows: 1) insert the word "analog" before the word "tower" on page 206, line 20 of the February 9, 2011, transcript; 2) insert the phrase "the analog television" before the word "antennas" on page 206, line 23 of the February 9, 2011, transcript; and, 3) add the sentence, "As part of the agreement the radio towers on the Nose were allowed to remain" at the start of line 24 of the February 9, 2001 transcript.

**SO ORDERED.**

Dated at Montpelier, Vermont, this 21<sup>st</sup> day of April, 2011.

<u>s/James Volz</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/David C. Coen</u>	)	BOARD
	)	
	)	OF VERMONT
<u>s/ John D. Burke</u>	)	

OFFICE OF THE CLERK

FILED: April 21, 2011

ATTEST: s/Judith C. Whitney  
Deputy Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*

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3. Docket 7628, Memorandum dated 3/8/11.